

REMARKS

Prior to entry of this amendment, Claims 1-20, 22, 23, and 25-28 were pending. By this paper Claim 1 has been amended. Therefore, Claims 1-20, 22, 23, and 25-28 are pending and are presented for consideration.

Claim Objections

Claim 23 was objected to because of informalities. In order to expedite prosecution of this application, by this paper Claim 23 has been amended to include a status identifier. Therefore, removal of this objection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112

In the Office Action, Claim 26 was rejected under 35 U.S.C. § 112 as being indefinite. In order to expedite prosecution of this application, by this paper Claim 26 has been amended to depend from Claim 1. Therefore, removal of this rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

The Office Action rejected Claim 1 as being unpatentable over Tiberio (U.S. Patent No. 5,611,535) and in view of Payne (U.S. Patent No. 6,241,607) and Berman (U.S. Publication No. 2008/0045323). However, the above references, either alone or in combination, do not teach or suggest Claim 1.

In particular, Tiberio, Payne, and Berman, alone or in combination, do not teach or suggest Claim 1, which recites “one of a number of predefined possible payline patterns of indicia; said payline randomly selected by a game control module.” In contrast, Tiberio teaches “a win line 28” and “a glass face 54, on which win line 28 is painted or impressed.” Tiberio, col. 3, line 26, and col. 4, lines 31-32. Because a win line “painted or impressed” on “a glass face” appears to be a fixed win line, Tiberio does not teach a payline “randomly selected by a game control module,” as recited by Claim 1. Also in contrast, Payne teaches “player selected paylines.” Payne, col. 3, lines 36-38. Because the paylines in Payne are “player selected,” Payne cannot teach paylines that are “randomly selected by a game control module,” as recited by Claim 1.

Finally, in contrast to Claim 1, Berman teaches that predefined paylines “may detract from the suspense afforded through such a chance-based gaming device.” *Id.* at Para. [0006]. Berman teaches that scatter pays overcome the disadvantages of predefined paylines by providing “a random payline when a certain symbol is presented a fixed number of times on the display grid” that is “entirely random on the display grid and afford[s] no correlation whatsoever to a physical payline.” *Id.* Therefore, because Berman teaches that scatter pays that have *no correlation whatsoever* to a physical payline are to be used instead of predefined paylines, Berman does not teach predefined paylines that are randomly selected by the game control module, and actually teaches against them as well as other predefined paylines. Therefore, Tiberio, Payne, and Berman, alone or in combination, fail to teach or suggest at least these features of Claim 1, and removal of this rejection is respectfully requested.

It will be appreciated that a game with a “payline randomly selected by a game control module” provides players not only the suspense offered by the variations in the symbols presented on the display, but the additional excitement and suspense offered by a new variable in the game that appears to give players a chance to win when they would otherwise have no such chance. These advantages increase player preference in playing the game as compared to alternatives games and increase a player’s desire to play for a longer time, which in turn increases the revenue generated by the game.

Dependent Claims

Claims 2-20, 22, 23, and 25-28 further define their own patentable subject matter and in addition depend from Claim 1 and therefore include each of the limitations of Claim 1. Accordingly, they are believed to be allowable over the cited art for at least the same reasons discussed above with regard to Claim 1.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

Application No.: 10/583,210
Filing Date: March 26, 2007

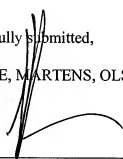
application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: December 8, 2008

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AMEND

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